

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS J. WEARE,

Defendant.

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8:21CR130

ORDER

This matter is before the court on the defendant's Motion to Continue Trial [38]. Counsel requires additional time to complete plea negotiations, finalize plea paperwork, and to set the matter for a change of plea. After consideration, the undersigned magistrate judge finds good cause has been shown for the requested continuance. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [38] is granted, as follows:

1. The jury trial now set for March 22, 2022, is continued to **May 24, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and May 24, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without counsel requesting a hearing before the undersigned magistrate judge.**

DATED: March 14, 2022

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**